

<b>POLICY NAME</b>	<b>DUTY of CARE – Church Council</b>
<b>POLICY NUMBER</b>	C - 002
<b>DATE</b>	May 22, 2025
<b>DATE REVIEWED OR REVISED</b>	May 27, 2025
<b>REFERENCES</b>	<ul style="list-style-type: none"> <li>• The Manual 2025, UCC <a href="#">The Manual, 2025</a></li> <li>• <i>Faithful Footsteps</i> Screening Procedures for Positions of Trust and Authority in The United Church of Canada: A Handbook. <a href="#">Faithful Footsteps (Reprint Version) (united-church.ca)</a></li> <li>• Church Administration – Duty of Care <a href="#">Duty of Care   The United Church of Canada</a></li> <li>• Guidelines on Developing Human Rights Policies and Procedures (OHRC) <a href="#">Updated guidelines on developing human rights policies and procedures   Ontario Human Rights Commission</a></li> <li>• “A Tender Trust: Helping Churches to provide safe service” <a href="#">A Tender Trust: Helping Churches to Provide Safe Service (united-church.ca)</a></li> <li>• Police Records Checks <a href="#">Police Records Check Handbook (January 2019)</a>; <a href="#">Record and Background Checks - Ottawa Police Service</a></li> </ul>
<b>SEE ALSO</b>	<p>BUC Policies:</p> <p>C – 001 Duty of Care - General</p> <p>C – 003 Duty of Care - Ministry and Personnel Ministry</p> <p>C – 004 Duty of Care – Christian Education Ministry</p> <p>C – 005 Duty of Care – Pastoral Care Ministry</p> <p>C – 006 Duty of Care – Facilities Ministry</p> <p>C – 007 Duty of Care – Worship Ministry</p> <p>C – 008 Duty of Care – Finance Ministry</p> <p>C – 009 Duty of Care - Trustees</p> <p>C – 010 Duty of Care - ...</p>

**Barrhaven United Church (BUC)**  
**an Affirming Community of Faith of the United Church of Canada**  
**located on the Territory of the Algonquin Anishinaabe People**

**INTRODUCTION and INTENTION**

The congregation, volunteers, and staff of Barrhaven United Church (BUC) recognize that we have a spiritual, moral, and legal duty to care for and protect all participants in all of our church activities

We take seriously our responsibility to offer a warm, welcoming, safe and nurturing environment to all people who enter our buildings for worship, work, study, service, and personal growth.

**POLICY STATEMENT**

It is the responsibility of Church Council and all ministries of BUC to exercise the care, diligence and skill of a reasonably prudent person in the oversight of the church's programs to maintain standards of care for all of BUC activities and ministries.

We will seek to ensure that all volunteers, staff, and ministry personnel who work with vulnerable individuals in connection with the ministries of BUC share this commitment by showing respect for personal boundaries, protecting others from harm and abuse, and enabling those in their care to learn and grow without fear of exploitation.

Our commitment to protecting all those who come into BUC includes a zero tolerance level for any form of abuse, harassment, discrimination, or bullying.

To this end, we strive to behave in the spirit of the Holy Manners (Appendix B) and the Congregational Covenants (Appendix C).

**PURPOSE AND SCOPE**

**PURPOSE:**

The purpose of this policy is to provide a clear direction and definitions for the development and maintenance of policies specifically related to Duty of Care as related to BUC Church Council.

## SCOPE:

This policy applies to all the members, congregants, volunteers, staff and ministry personnel involved in all aspects of the life and work of BUC Church Council.

## DEFINITIONS AND CLARIFICATION

With respect to BUC Church Council, a “**Duty of Care**” is the obligation to take reasonable care to avoid causing foreseeable harm to another person or his or her property.

The concept of duty of care identifies the relationship that exists between two persons (e.g. two individuals, an individual and an organization) and establishes the obligations that one owes the other, in particular the obligation to exercise reasonable care with respect to the interests of the other, including protection from harm.

The duty of care arises from the common law, as well as statutes at all government levels.

Definitions of terms used throughout this policy and the suite of BUC policies related to the Duty of Care Policy are set out in Appendix A to this document.

## PROCEDURES

### 1.0 RISK ASSESSMENTS

**Church Council** is defined as the governing body of BUC, elected by the congregation, with responsibilities including: spiritual, financial, pastoral relations, worship, Christian education (for children, youth and adults), governance, property matters and record keeping.

**Barrhaven United Church Council** as the governing and decision-making body of the local church congregation which provides general oversight, and conducts the business of the church in a meeting format has limited risk factors when reviewed under the categories of participants, setting, activity, supervision and nature of relationship. This ministry is assessed as being at **Low Risk Level**.

**Low Risk Level** indicates that no out-of-the-ordinary risks or foreseeable harms have been identified; there is minimal or no contact with vulnerable persons, and the group is made up of peers. No further action is needed.

New risk assessments may be necessary only when there are changes to existing activities or new activities are added.

## **1.2 SUPERVISION and SUPPORT**

Church Council will ensure that sufficient supervision, training and support for program leaders, staff and volunteers is identified and in place.

Such as:

1. Awareness of the United Church of Canada Manual as a guidebook of United Churches.
2. Awareness of UCC Manual section B. Community of Faith (p. 54-75).
3. Awareness of UCC Manual section G. Congregational Life (p. 113-126).
4. Awareness of UCC Manual Appendix. Meeting Procedures (p. 191-194) and additional procedures such as Bourinot's Rules.
5. Awareness of current Barrhaven United Church Terms of Reference for Council.
6. Awareness of United-in-Learning webinars and ChurchX platform as a source of continuing education resources.
7. Awareness of BUC Council administrative processes (as may be necessary and related to access and storage of Council files and documents).
8. An On-boarding Session for new BUC Council members.

## **2.0 COMMUNICATION**

This, and all BUC policies, will be available for viewing by members of BUC in the Church Office and will be posted on the BUC website.

## **3.0 REVISIONS and REVIEWS**

All Duty of Care Policies will be revised as necessary and, in any event, will be reviewed and presented to the congregation for ratification, on a three-year rotational basis.

## DISCLAIMER

This document was produced for use by BUC.

It is not a legal document.

The laws of Canada, the Province of Ontario and the City of Ottawa take precedence where unintentional conflicts may arise.

## APPENDIX A

### DEFINITIONS and DESCRIPTIONS

**Abuse:**

A behaviour that scares, isolates, or controls another person.

It may be a pattern or a single incident.

Abuse includes the following forms:

- physical, including assault and forcible confinement;
- sexual, including sexual contact without consent;
- psychological, including threats and intimidation;
- financial, including fraud and extortion; and,
- neglect, consisting of the failure to provide the necessities of life, which can cause serious harm.

**Activity:**

Any program, study group, event, worship service or ministry at BUC or that is sanctioned by BUC both inside and outside the church facility.

**Bullying:**

The often repeated and/or habitual use of force, threat or coercion to intimidate, abuse or aggressively dominate others where there is an imbalance of social, emotional or physical power.

It can occur in both public and private settings.

**Church Council:**

The governing body of BUC, elected by the congregation, with responsibilities including: spiritual, financial, pastoral relations, worship, Christian education (for children, youth and adults), governance, property matters and record keeping.

**Church Sanctioned Function:**

Any event that is pre-approved and promoted by BUC Church Council, both on and off the church site.

**Contraindicate:**

Applies to drug use or other criminal activity outlined on a Police Records Check (PRC) that would prevent a person from volunteering in a specific voluntary role.

**Discrimination:**

Any form of unequal treatment based on a prohibited ground, whether imposing extra burdens or denying benefits.

It may be intentional or unintentional.

It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people.

Discrimination may take obvious forms, or it may happen in very subtle ways.

Even if there are many factors affecting a decision or action, if discrimination is one factor that is a violation of this policy.

Under the Ontario Human Rights Code, prohibited grounds of discrimination, and any combination of these grounds, are:

- Age
- Creed (religion)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation
- Gender identity
- Gender expression
- Family status (such as being in a parent-child relationship)
- Marital status (including married, single, widowed, divorced, separated or living in a conjugal relationship outside of marriage, whether in a same-sex or opposite-sex relationship)
- Disability (including mental, physical, developmental or learning disabilities)
- Race
- Ancestry
- Place of origin
- Ethnic origin
- Citizenship
- Colour
- Record of offences (criminal conviction for a provincial offence, or for an offence for which a pardon has been received)

- Association or relationship with a person identified by one of the above grounds
- Perception that one of the above grounds applies.

### **Due Diligence:**

Anticipating the worst-case scenario, then planning to prevent that outcome, through risk avoidance measures.

### **Harassment:**

Any unwanted physical, sexual, or verbal conduct that is known, or ought reasonably to be known, to be unwanted.

It is a form of discrimination and may involve a wide range of behaviours, from verbal innuendo and subtle suggestions to overt demands and physical abuse.

### **Police Record and Background Checks:**

Upon application by the individual undergoing the background check and depending on the level of check required, the Ottawa Police Service (OPS) will provide the results of Police Records, Judicial Matters and/or Vulnerable Sector Background checks.

### **Position of trust:**

The situation where a volunteer, ministry personnel, staff member, trusted servant or some other person:

- a) has authority or decision-making power over a vulnerable person;
- b) has access to a vulnerable person's property or finances; or
- c) develops a close personal relationship with a vulnerable person as in mentoring or visiting programs.

### **Risk Assessment:**

A standardized procedure for looking at all activities that members of BUC participate in to identify any factors that have the potential to harm another person or their property.

### **Risk Management:**

Taking care to consider the possibility that something could go wrong and taking steps to stop, minimize, prevent or eliminate the circumstances which may lead to injury, abuse or harm to program participants.

Risk management means accepting the fact that harm is possible, either by the deliberate act of an abusive person, or through carelessness or accident.

### **Screening:**

This is a process designed to create and maintain a safe environment.

It identifies any activity or aspect of a ministry program that could bring about harm to vulnerable individuals.

It includes evaluating volunteers and staff who may be in a position of trust with anyone considered vulnerable.

**Standard of Care:**

The watchfulness, attention, caution and prudence that a reasonable person would exercise in the circumstances. If a person's actions meet this standard of care, then their actions meet the duty of care that all people owe to one another.

Standard of care does not mean perfection in practice.

**Sexual harassment:**

Any attempt to coerce an unwilling person into a sexual relationship, or to subject a person to unwanted sexual attention, or to punish a refusal to comply.

**Violence:**

The exercise of physical force by a person against another person that causes, or could cause, injury

or

an attempt to exercise physical force by a person against someone that could cause physical injury

or

a statement or behaviour that is reasonable for a person to interpret as a threat to exercise physical force against them that could cause physical injury.

**Volunteer:**

An individual who:

- a) chooses to undertake a service or activity and is not coerced or compelled to do so, and
- b) performs a service, undertakes an activity or assumes a leadership role in the church, and
- c) does not receive a salary or wage for doing so.

**Vulnerable Person:**

Anyone who may have difficulty in protecting themselves from harm from a person in a position in authority or of trust to them and who is at risk because of age, ability, emotional distress or other circumstances (whether temporary or permanent).

This includes those who handle funds.



## APPENDIX B

### HOLY MANNERS

#### **UCC The Manual 2024 page 190**

The Very Reverend Marion Pardy introduced Holy Manners as a resource for the 38th General Council 2003. Holy Manners has been used as resource for the conduct of meetings by subsequent General Councils and their executives. It has been adapted here for use as a resource by all councils and church bodies.

We will ·

- keep God at the centre of everything we do; ·
- each speak for ourselves; ·
- speak for a purpose; ·
- separate people from problems; ·
- allow for full and equitable participation; ·
- attend to others carefully without interruption; ·
- welcome the conflict of ideas; ·
- take a future orientation; ·
- demonstrate appreciation; ·
- honour the decisions of the body; ·
- commit to holding one another to account when we do not keep our holy manners; ·
- keep the discussion at the table; ·
- be mindful of our body language; ·
- check in about good use of time; ·
- allow the quiet people to speak, with an invitation to speak; and ·
- sincerely say what we really feel

## APPENDIX C

### Congregational Covenant

Twenty-four members of the congregation drew up the following covenants (promises), which they have agreed to follow. Others in the congregation are encouraged to do likewise.

The following covenants are made by us within the confines of the United Church of Canada and as followers of Jesus Christ:

† *Open & Total Communications*

1. We promise to continuously communicate the work of the Church, including recognizing the volunteers and staff currently responsible for carrying out that work.

† *Willingness and Ability to Resolve Conflicts*

2. We promise to resolve conflict in a sensitive and Christ like manner.

† *Tolerance/Respect/Acceptance*

3. We promise to practice tolerance, to respect and accept diversity, and to listen openly to all points of view.
4. We promise to discuss facts and not engage in hearsay.

† *Decision Making Process*

5. We promise to include other members of the congregation in the decision-making process as often as is practicable and to ask for God's guidance at all times.

6. We promise to encourage new persons, and the existing congregation, to participate in the life and work of the Church.